

EXHIBIT E

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR. and PATRICIA
CAULEY on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS AMERICA, INC.,

Defendant.

Civil Action No. 17-1775
(MCA) (JSA)

**SAMSUNG ELECTRONICS AMERICA, INC.'S FIRST SET OF
INTERROGATORIES TO PLAINTIFF THOMAS ROGER WHITE, JR.**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, and Local Rule 33.1, Samsung Electronics America, Inc. ("Samsung"), hereby directs the following Interrogatories to Plaintiff Thomas Roger White, Jr. and requests that within 30 days of service of these Interrogatories, Plaintiff provide a response to each Interrogatory in writing and under oath.

DEFINITIONS AND INSTRUCTIONS

1. "You" or "Your" refers to each Plaintiff to whom these interrogatories are directed.
2. "Samsung" means Samsung Electronics America, Inc.
3. "SmartTV" refers to any and all smart televisions or televisions that can connect to the internet.
4. "Your Samsung Smart TVs" refers to any and all Samsung SmartTVs that are alleged to give rise to Your individual claims identified in the Second Amended Complaint.

5. “Identify,” (a) when used with reference to an individual person, means to state the individual’s full name, position and business affiliation at the time referred to, current or last known position and business affiliation, current or last-known address and telephone number; (b) when used with reference to a firm, partnership, corporation, association, or other business enterprise, means to state its full name, address, and telephone number; (c) when used with reference to a document, means to state its date, author, addressee, title, subject, and type (for example, book, record, letter, memorandum, etc.), number, if any, or some other means of identifying it; (d) when used with reference to a communication or meeting, means to state, as precisely as possible, (i) what was said in the communication or meeting, (ii) the date it occurred, (iii) the place it occurred, (iv) the identity of each person who is a sender and recipient, or each person who participated in each communication or meeting, (v) the identity of each and all persons present when the communication or meeting took place, and (vi) the identity of any document concerning such communication or meeting; and (e) with respect to an investigation, means to state the person(s) who participated in it, the dates on which it occurred, the conclusions that were reached, and whether any or all of those conclusions were recorded in writing.

6. “Includes” or “including” means “includes, without limitation” or “including, without limitation,” so that each interrogatory shall be construed broadly, rather than narrowly, to bring within the scope of each interrogatory all responses that might otherwise be construed to be outside its scope.

7. You can access Your Samsung SmartTV’s Device Unique ID (“DUID”) (also referred to as device ID, Device Unique Identifier, UDID, or Unique Device Identifier) on Your SmartTV using Your Samsung SmartTV’s remote control by selecting “Menu” or the

“Home” button on Your remote, then “Settings,” then “Support,” then “About This TV.” The DUID will be listed on the “About This TV” screen.

8. You can access Your Samsung SmartTV’s Personalized Service Identifier (PSID) on Your SmartTV using Your Samsung SmartTV’s remote control by selecting “Menu” or the “Home” button on Your remote, then “Settings,” then “Support,” then “Terms & Policy.” Scroll down to “Reset PSID.” Your current PSID will be listed on the “Reset PSID” screen. Do not click “Reset PSID” on this screen or it will remove data regarding your PSID.

9. Each interrogatory shall be construed according to its most inclusive meaning so that if information is responsive to any interpretation of the interrogatory, the information is responsive.

10. Any interrogatory propounded in the singular shall also be read as if propounded in the plural and vice versa, to make this discovery inclusive rather than exclusive.

11. Any interrogatory propounded in the present tense shall be read as if propounded in the past tense and vice versa, to make this discovery inclusive rather than exclusive.

12. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the interrogatory all responses that might otherwise be construed to be outside of its scope.

13. If You are unable to respond to any of the interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, then so state and respond to each such interrogatory to the fullest extent possible, specifying the extent of Your knowledge and Your inability to respond to the remainder, and setting forth whatever information or knowledge You may have concerning the

unanswered portions thereof. If any response is on information and belief, in whole or in part, then so state and Identify the source of such information or belief. If You have no information responsive to an interrogatory, then so state.

14. If You object to any part of an interrogatory, identify that portion to which You object and provide all information responsive to the remainder of the interrogatory.

15. If You object to any interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the interrogatory according to the assumed meaning.

16. If You object to any interrogatory as overbroad, provide a response that narrows the Interrogatory in a way that eliminates the purported over-breadth, state the extent to which Your response has narrowed the interrogatory, and respond to the narrowed interrogatory.

17. If You withhold or intend to withhold any information requested by an interrogatory by reason of the attorney-client privilege, work-product doctrine, or other privilege, doctrine, or immunity, You are requested to specify the basis of the privilege or other grounds for exclusion and to provide all other appropriate information as required by Rule 26(b)(5) of the Federal Rules of Civil Procedure. Provide responses to all parts of the interrogatory to which You do not object.

18. These interrogatories shall be deemed continuing, and the responses to them must be supplemented pursuant to Rule 26(e) of the Federal Rules of Civil Procedure in the event that You obtain additional knowledge or information responsive to the interrogatories.

INTERROGATORIES

INTERROGATORY NO. 1

Identify who purchased Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 2

Identify the date You purchased Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 3

Identify the retailer, store, or website from which You purchased Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 4

Describe the current location of Your Samsung SmartTVs, including, without limitation, the street address.

RESPONSE:

INTERROGATORY NO. 5

Identify the DUID (also referred to as device ID, Device Unique Identifier, UDID, or Unique Device Identifier) for Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 6

Identify the PSID (also referred to as Personalized Service Identifier) for Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 7

Identify the model number and serial number of Your Samsung SmartTVs.

RESPONSE:

INTERROGATORY NO. 8

Identify all devices that have been connected to Your Samsung SmartTVs, including, but not limited to, any cable boxes, gaming systems, antennas, dongles, smart phones, computers, or other similar electronics.

RESPONSE:

INTERROGATORY NO. 9

Identify all sources of programming or content viewed on Your Samsung SmartTVs, including, but not limited to, any streaming applications, cable or satellite television providers, portable media devices, or gaming systems.

RESPONSE:

INTERROGATORY NO. 10

Identify any and all persons aside from You who have used Your Samsung SmartTVs to access programming or view content by stating each such person's name, last known address, and relationship to You.

RESPONSE:

INTERROGATORY NO. 11

Identify any and all SmartTVs You have purchased besides Your Samsung SmartTVs by stating the make, model, serial number, and date of purchase for each such SmartTV.

RESPONSE:

INTERROGATORY NO. 12

Identify any and all Samsung-branded products You have purchased besides Your Samsung SmartTVs by stating the type of product, product name, model, serial number, and date of purchase for each such product.

RESPONSE:

INTERROGATORY NO. 13

Identify any time period during which Your Samsung SmartTVs were not connected to the Internet by stating the start and (if applicable) end dates of each such time period and the serial number of the Samsung SmartTV that was not connected to the Internet during that time period.

RESPONSE:

INTERROGATORY NO. 14

Identify the date You learned of or became aware of Samsung's Automatic Content Recognition technology.

RESPONSE:

INTERROGATORY NO. 15

Identify when you came to believe that Samsung's "ACS [Automatic Content Software] operated in real time to acquire the content of Plaintiffs' and the Class members' electronic communications," as alleged in the Second Amended Complaint ¶ 167.

RESPONSE:

Dated: May 22, 2023

/s/ Michael R. McDonald

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CERTIFICATE OF SERVICE

The undersigned hereby certified that on May 22, 2023 the foregoing was served by electronic mail and mail to all counsel of record requesting notice:

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Dated: May 22, 2023

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